IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.1611 OF 2005

Arvind M. Shah ...Appellant
Vs.
The Pune Municipal Corpn. ...Respondent

Mr Mandar Limaye & S.M. Kelkar for the Appellant.
None for the Respondent.

CORAM : A. S. OKA, J.
DATE : APRIL 12, 2006.

P.C.:

1. Heard the Advocate appearing for the Appellant. Affidavit of the Appellant is taken on record and marked 'X' for identification. The learned Advocate for the Appellant states that he may be permitted to withdraw the Appeal unconditionally. He states that the Appellant proposes to make an Application to the appropriate authority for regularisation of the suit structure and therefore, structure may be protected for a reasonable time. Request made by the Advocate for the Appellant is reasonable.

2. Hence, I pass the following order:

(i) Second Appeal is dismissed as withdrawn with no orders as to costs.

(ii) If the Appellant makes an Application to the Respondent-Corporation for regularisation of the suit structure within period of two weeks from today, the suit structure will not be demolished by the Respondent-Corporation for a period of twelve weeks from today. If such Application is made by the Appellant within period of two weeks from today, the Respondent-Corporation will decide the same within a period of six weeks from the date of receipt of the Application.

JUDGE